

Hallauer, Lori

From: Jim Ford [jf@mtenvironmentaltrust.org]
Sent: Tuesday, July 16, 2013 9:11 AM
To: Burns, Betsy; Denise Kirkpatrick (MDEQ); Breeden, Randy; Figur, Charles
Cc: Cindy Brooks (METG); Marc Weinreich (METG); Garrett Thompson (METG); Rob Collins (MDOJ)
Subject: East Helena - June 2013 RCRA Monthly Progress Report
Attachments: East Helena - June 2013 RCRA Monthly Progress Report.pdf

At the request of EPA attached is the **June 2013 RCRA Monthly Progress Report** for the former Asarco site in East Helena, Montana. A hard copy of the report has been sent via Certified Mail to those addressed and copied in the report.

Please feel free to contact me with any questions.

Sincerely, Jim

Jim Ford
East Helena Remedial Project Manager
Montana Environmental Trust Group, LLC (METG)
Trustee of the Montana Environmental Custodial Trust
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Montana Environmental Trust Group, LLC
Trustee of the Montana Environmental Custodial Trust
PO Box 1230, East Helena, Montana 59635
Telephone: (406) 227-1242

July 16, 2013

Betsy Burns
RCRA Project Officer
EPA Region VIII
Montana Office
10 West 15th St., Suite 3200
Helena, MT 59626

RE: Consent Decree Civil Action No. CV 98-3-H-CCL East Helena Site Work Performed During June 2013

Dear Ms. Burns:

The Montana Environmental Trust Group, LLC, Trustee of the Montana Environmental Custodial Trust (the Custodial Trust), hereby submits the attached monthly progress report for the month of June 2013 to the US Environmental Protection Agency (EPA). The enclosed report was prepared pursuant to the requirements of Section 86 and other applicable provisions of the First Modification of the Consent Decree (No. CV 98-3-H-CCL) entered on US Federal District Court (Montana) in 2012.

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**Montana Environmental Custodial Trust Monthly Progress Report for the East Helena Site
June 2013**

#	Topics & Subtasks	Date(s)	Major Activities ⁱ
I. RCRA Corrective Action			
A. Investigations, Studies, Analyses and Data Collection			
1.	Phase II RFI	During Period	CH2M Hill is developing a list of suggested revisions to finalize the Phase II RFI.
2.	FSAP	During Period	Hydrometrics continued reviewing data from 2012 and April 2013 for trends and anomalies.
		During Period	Hydrometrics conducted the June 2013 quarterly groundwater, surface water, residential well, and water level monitoring events.
3.	Risk Assessment	During Period	No significant risk assessment activities occurred during the reporting period.
4.	Upper Lake Aquifer Test	During Period	No significant Upper Lake Aquifer Test activities occurred during the reporting period.
5.	GW Model	During Period	Solute Transport Model Scope of Work is in development; Continued reviewing results of predictive simulations in flow field (modeling the PPC Bypass in and Smelter Dam removed) provided by NewFields against field-measured water levels in support of the SPHC IM.
6.	Database Management	During Period	Linda Tangen continued working on April 2013 EH Spring Surface and Groundwater Monitoring events.
B. Interim Measures			
1.	SPHC IMs	6/4/13	CT personnel and CH2MHill met with Helena Sand and Gravel to kick off the PPC Temporary Bypass construction activities.
		During Period	Hydrometrics abandoned the two piezometers on the East Bench near the former Air Liquide facility.
		During Period	PPC Temporary Bypass: <ul style="list-style-type: none"> • Set up project in management and tracking database (Oracle) • Prepare and award Helena Sand & Gravel Subcontract • Attend weekly coordination calls • Prepare Project Instructions • Mobilization • Begin installation of SWPPP BMPs • Hold kick off meeting with Helena Sand & Gravel, CT, and CH2M HILL • Hold CH internal kick off mtg and Operational Readiness Review (ORR) • Review and respond to submittals. Update submittal register • Prepare Construction Quality Plan • Prepare for mobilization
		During	PPC Realignment:

Montana Environmental Custodial Trust Monthly Progress Report for the East Helena Site
June 2013

#	Topics & Subtasks	Date(s)	Major Activities ¹
		Period	<ul style="list-style-type: none"> • Preparation of schedule updates; EAC/ETC projections; review of subcontractor invoices and work task documentation; preparation of invoices; participation in weekly team management calls. • Coordination of PPC permitting activities among the various site projects; coordination between CH2M and subs on interrelationships and impacts of groundwater, Tito Park removal, and PPC Realignment. • Weekly team teleconferences; 60% design development. • Prepared summary from Pre-Application meeting, with DNRC, FWP, USACE, LCCD, DEQ, USFWS, and HWQPD in attendance. • Initiated permitting SOW for PPC Realignment.
		During Period	Utility Relocation: <ul style="list-style-type: none"> • Coordinated utility easement exhibit submittal • MMI completed utility easement exhibits
		During Period	COEH Waterline: <ul style="list-style-type: none"> • Prepare submittals • Submittal review • Inspection • Attend weekly coordination meetings with Helena Sand and Gravel, Blaine Cox and Mark Rhodes • Mobilization Training • Review submittals and respond with comments/approve. Update submittal register • Provide construction oversight • Prepare and submit to Custodial Trust April invoice and MSR • Mobilization • Install BMPs per the SWPPP • Trench and install ~600 LF of water line • Locate utilities along jack and bore route • Coordination W/ COEH on RR permit • Conduct weekly coordination meetings with Helena Sand and Gravel, CT • Review submittals and respond with comments/approve. Update submittal register • Provide construction oversight including quality, safety, compliance with plans and specifications • Prepare daily reports to document progress. • Receive and review Schedule of Values and June 2013 invoice. • Prepare and submit to Custodial Trust May invoice and MSR

**Montana Environmental Custodial Trust Monthly Progress Report for the East Helena Site
June 2013**

#	Topics & Subtasks	Date(s)	Major Activities ¹
			<ul style="list-style-type: none"> • Prepare submittals • Make connections to existing water line • Prepare for testing and placing into service • Engineer of Record Inspections • Complete jack and bore • Install waterline under Hwy and RR
			Conceptual Site Models <ul style="list-style-type: none"> • Reviewed existing lithologic data published in the Phase II RFI Report and logs of newly-installed piezometers on the East Bench to prepare a revised Tertiary ash/clay surface.
2.	ET Cover System IMs	6/6/13	Envirocon discovered fiber board under the OSHB roofing. The CT, DEQ, and EPA agreed to leave it until the concrete shell structure was demolished and then remove as much of the fiber board as possible.
		6/6/13	The CT received the Phase 2 demo SOW from CH.
		6/10/13	The CT met with Hydrometrics on the Phase 3 scoping project.
		6/17/13	CH informed the CT of the foam inside the OSHB building columns. CH and Envirocon decided to adjust demolition activities to remove columns piece by piece, rather than knocking them over, in order to keep the foam from being dispersed.
		During Period	Hydrometrics continued reviewing the HYDRUS model and calculated the Valley View soils size fraction quantities.
		During Period	Hydrometrics began planning for Phase 3 activities by looking into water treatment and capping options.
		During Period	Phase 1 Demo: <ul style="list-style-type: none"> • Review submittals and update submittal register • Attend weekly coordination meetings with Blaine Cox and Mark Rhodes • Quality and safety oversight of onsite operations • Construction management oversight/coordination of Envirocon demolition activities • Daily and weekly reporting • Receive and review Envirocon Schedule of Values and May 2013 invoice. • Prepare and submit to Custodial Trust April invoice and MSR • Attend weekly coordination calls • Continue demolition activities inside OSHB • Complete demolition of Barnum and Bailey Structures • Continue loading and transport of recycle material (~425 tons) • Segregate materials for future transport to CAMU • Characterize wastes • Remove LBP and universal wastes • Demolished Sampling and crushing building

**Montana Environmental Custodial Trust Monthly Progress Report for the East Helena Site
June 2013**

#	Topics & Subtasks	Date(s)	Major Activities ¹
			<ul style="list-style-type: none"> Started cutting up railroad crane Demolished truck scale, filled pit Installed new bridge deck at Smelter Dam Review submittals and update submittal register Quality and safety oversight of onsite operations Construction management oversight/coordination of Envirocon demolition activities including quality, safety, compliance with plans and specifications
		During Period	Phase 2 Demo: <ul style="list-style-type: none"> Receive and review bids Prepare bid evaluation and present to the Custodial Trust Receive Custodial Trust approval of recommendation for use Envirocon for the Phase 2 demo Complete preparation of CPO-053 Statement of Work SOW award to CH2M Hill for CM services on June 18, 2013 Prepare Envirocon Subcontract and submit to CT for approval Conduct weekly coordination calls Prepare project instructions, hold internal kick off mtg Prepare CQP
		During Period	ET Cover: <ul style="list-style-type: none"> Completed draft HYDRUS TM and submitted to Trust for quality review. Completed draft 100% test plot design and submitted to Trust for quality review. Met with Trust technical reviewers to coordinate quality review. Began addressing Trust test plot review comments. Continued 15% grading plan for site-wide ET cover. Met with Montana Rail Link (MRL) to coordinate rail spur layout with 15% design of the ET cover.
3.	Source Removal IMs	During Period	Source Removal IM For the Tito Park grading evaluation, <ul style="list-style-type: none"> Continued to coordinate with the PPC Realignment team on integration of the 60% PPCR Design with the preferred grading concept at Tito Park. Initiated preparation of scope and budget for the Tito Park Engineering Design.
4.	IM Work Plans	During Period	<ul style="list-style-type: none"> Initiated planning efforts on IMWP 2014. Initiated preparation of the IMWP 2014 Update. Met with CT to review WP organization, coordinate key changes, and update delivery approach and schedule.
5.	RCRA Team Support	During Period	GW Flow/Transport Modeling <ul style="list-style-type: none"> Coordinated with CT on information needed from F&T modeling for support of IM engineering and RCRA support activities.

**Montana Environmental Custodial Trust Monthly Progress Report for the East Helena Site
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#	Topics & Subtasks	Date(s)	Major Activities ¹
			<ul style="list-style-type: none"> Coordinated with GW team on information transfer needs for prep of F&T SOW by NewFields.
6.	General (Programmatic) IMs	During Period	<ul style="list-style-type: none"> Prepare weekly and monthly reports for submittal to Trust. Attended monthly project controls summary meeting with the Trust. Attend weekly meetings with Trust Hold weekly meetings with task leads Prepare Key Task summary table for team tracking for May. Reviewed April schedule and updates and prepared approach to monthly updates. Prepared deliverables for June MSR meeting.
7.	Permitting	During Period	No significant permitting activities occurred during the reporting period.
C.	CMS		
A.		During Period	Corrective Measures Study <ul style="list-style-type: none"> To support the soil removal alternatives evaluation, used the MVS model to prepare maps of arsenic contamination in soil, by depth slices. The maps were generated based on an action level of 40 mg/kg for arsenic, as recommended by MDEQ. Generated preliminary excavation volumes corresponding to the 'orange' color-coded concentration range. Prepared a slightly revised Tertiary ash/clay layer surface, which represents the lower limit of the MVS model domain. Initiated preparation of the CMS Work Plan Update. Met with CT to review WP organization, coordinate key changes, and update delivery approach and schedule.
II. Beneficiary/Stakeholder Communications			
A.	Beneficiary Communications	6/6/13	Meet with K. Nelson on MBTA interpretation for construction activities
		6/18/13	Monthly EPA/Custodial Trust - East Helena Project Reviews
B.	Stakeholder Communications	During Period	No significant Stakeholder Communication activities occurred during the reporting period.
III Site Management & Operations			
A.	Site-Wide Health & Safety/Regulatory Compliance	6/17/13	CDM Smith submitted the SOW for the third party SWPPP review to the CT.
		6/25/13	The CT collected a potable water sample for monthly coli-form testing requirements.
		During Period	AMEC (Kirk Eakin) monitored site property for migratory bird nesting activity and reported all activity to the CT in coordination with the Migratory Bird Treaty Act (MBTA).
		During Period	<ul style="list-style-type: none"> EH personnel completed weekly and monthly inspections of health and safety systems, CAMU #1 and #2 liners, temporary liners, natural gas hoses and hazardous waste roll-offs. EH personnel removed debris from Smelter Dam and the diversion structure.
B.	Site Security	6/18/13	The CT received notice from the EH Rodeo Association that the access gates were broken by vandals.
C.	Plant Operations	6/10/13	EH personnel replaced the valve on the potable water filter in the Bathhouse.
		6/21/13	The CT submitted drawings to North Side Welding for the construction of the bridge handrail on the new bridge over the PPC Dam.

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		6/25/13	The CT authorized Fence Crafters to construct a security gate on the smelter dam bridge.
D. Stormwater Management		6/3/13	Hydrometrics collected HDS effluent and feed samples in order to troubleshoot turbidity problems.
		6/12/13	CT personnel calibrated the effluent flow meter for the annual MPDES requirement.
		6/14/13	CT personnel performed a sludge recycle pumping test with the HDS off-spec to determine if recycling sludge will eliminate thickener carry-over.
		6/19/13	The CT submitted the May 2013 DMR for the HDS Water Treatment Plant.
		6/26/13	While operating the HDS water treatment plant, EH personnel began experiencing sandfilter plugging due to the poor settling of the thickener. They reduced the influent flow from 100 gpm to 80 gpm to allow more retention time in thickener.
		During Period	EH personnel operated the HDS Water treatment plant to process stored site water.
E. Documents & Records		During Period	No significant document and records activities occurred during this reporting period.
F. Water Rights		During Period	No significant water rights activities occurred during this reporting period.
G. Other Property Management		6/5-13/13	Buchanan Spray Service sprayed the noxious weeds on CT property, including near the Manager's house property and Kleffner Ranch.
		6/13/13	The CT received a noxious weed notice violation notice from the L&CC Weed district for Trust property along Hwy 518.
		6/19/13	Intermountain Contractors finished the EH storm water drain project and removed their lock from the East Fields repository gate.
		6/25/13	The CT submitted a response plan and spray records for the L&CC Weed District noxious weed notice.
H. Other Site Operations		6/7/13	EH personnel hauled soil from the staging bin near the Manlove Cabin to the soil repository in the East Fields.
IV Property Use/Development			
A. Agricultural Leases		6/21/13	The CT notified Chip Foster that he will lose a small portion of his planted wheat due to the EH test plots.
B. Community Land Uses		6/5/13	Jamie Shell performed an interview tour of the EH facility with former Asarco employees for historical recordation.
		6/11/13	The CT submitted the 2013 User Agreement to Big Sky Fireworks for the annual EH 4 th of July fireworks display.
C. Redevelopment & Property Sale		During Period	No significant redevelopment and property sale activities occurred during this reporting period.
D. Slag Re-Processing		6/3/13	The CT met with Ashgrove to discuss a long term slag purchase agreement.
		6/11/13	The CT received a request from Gold Rush Refiners for slag samples for potential purchase.
		6/18/13	Gold Rush Refiners collected unfumed slag samples for testing.
E. City/County Land Transfers		During Period	No significant City/County land transfer activities occurred during this reporting period.

**Montana Environmental Custodial Trust Monthly Progress Report for the East Helena Site
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#	Topics & Subtasks	Date(s)	Major Activities ⁱ
V. CT Operations & Financial Affairs			
A.	Personnel & Office Operations	During Period	No significant personnel and office operations activities occurred during this reporting period.
B.	Financial Affairs	During Period	The CT continued to evaluate and review PO's for CH2MHill and SP4C continued development of CT project controls systems.
VI. Upcoming Activities			
		7/2/13	ET Test Plot Design Review with Beneficiaries (EPA and DEQ)
		7/23/13	Monthly East Helena Progress Review Meeting

ⁱ See Attachment I for a list of acronyms used in the weekly progress reports.

Section 3. Describe and estimate the percentage of studies completed.

No projects or studies were completed in June 2013.

Section 4. Describe Actions being taken to address problems.

There were no actions required to address problems associated with the Decree.

Section 5. Identify changes in key personnel during the period.

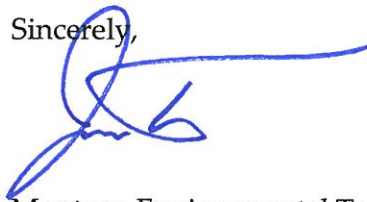
None during the reporting period.

Section 6. Describe the status of financial assurance mechanisms, including whether any changes have occurred, or are expected to occur which might affect them, and the status of efforts to bring such mechanisms back into compliance with the requirements of this Decree.

The Custodial Trust received funds for Environmental Actions earmarked for site clean-up in connection with the ASARCO bankruptcy settlement. The Custodial Trust deposited the funds in a segregated East Helena Clean-up account and is investing and managing the funds in accordance with the provisions of the Settlement Agreement.

Please do not hesitate to contact me with any questions pertaining to this transmittal.

Sincerely,

A handwritten signature in blue ink, appearing to be "Jim Ford", with a long horizontal stroke extending to the right.

Montana Environmental Trust Group, LLC

Not individually but solely in its representative capacity as
Trustee of the Montana Environmental Custodial Trust

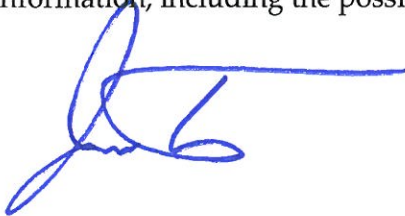
By: Greenfield Environmental Trust Group, Inc., Member

By: Jim Ford, Duly Authorized Owner Representative

cc: Denise Kirkpatrick - MDEQ
Randy Breeden - EPA 8
Chuck Figur - EPA 8

CERTIFICATION
PURSUANT TO U.S. v ASARCO INCORPORATED
(CV-98-3-H-CCL, USDC, D. Montana)

"I certify under penalty of law that this document and all attachments, were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations."



Montana Environmental Trust Group, LLC
Not individually but solely in its representative capacity as
Trustee of the Montana Environmental Custodial Trust
By: Greenfield Environmental Trust Group, Inc., Member
By: Jim Ford, Duly Authorized Owner Representative

Attachment I
Montana Environmental Custodial Trust Monthly Progress Report
East Helena (EH) Site Acronyms

Acronyms	
AL	Air Liquide
BOH	Board of Health (Lewis & Clark County)
CD	Consent Decree
Chemet	American Chemet
CLOMR	Conditional Letter of Map Revision
CMS	Corrective Measures Study
CT	Custodial Trust
DMRs	Discharge Monitoring Reports
EAP	Emergency Action Plan
EH	East Helena
EPA	US Environmental Protection Agency
ET	Evapo-Transpiration
FEMA	Federal Emergency Management Agency
GW	Groundwater
HASP	Health & Safety Plan
HEC-RAS	Hydrologic Engineering Centers River Analysis System
IM	Interim Measure
LL	Lower Lake
MBMG	Montana Bureau of Mines & Geology
MDEQ	Montana Department of Environmental Quality
MDOJ	Montana Department of Justice
MDT	Montana Department of Transportation
P&S	Purchase & Sale
PPC	Prickly Pear Creek
SPHC	South Plant Hydraulic Control
UL	Upper Lake
USDOJ	US Department of Justice
USFWS	US Fish & Wildlife Service
WP	Work Plan
WQPD	Water Quality Protection District (Lewis & Clark County)

